

REMARKS/ARGUMENTS

Claim Amendments

The Applicant has amended no claims. Applicant respectfully submits no new matter has been added. Accordingly, claims 1-2, 4-10 and 13-14 are pending in the application. Favorable reconsideration of the application is respectfully requested in view of the foregoing amendments and the following remarks.

Response to comments in the Advisory Action

The Applicant notes that the continuation of Note 3 in the Advisory Action provided valid definitions of the terms "translation" and "transformation." Transformation is characterized a "to change markedly the appearance or form." The definition is expanded as "in other words, properly removing all of the TCP headers of the data changes the appearance or form of the data into the data that is understood by the end program." Translation is characterized as "to change one language into another; ... translate source language into machine language."

The Applicant does not take issue with the valid definitions but with the application of the definitions to the limitations of the Applicant's claims. Take for example, the limitation:

"...in response to receipt of the control instruction from the one of the group of network components, the floor controller triggering translation of the control instruction into an appropriate session control command and forwarding the session control command to the data source." (emphasis added)

As emphasized, the receipt of a data source control instruction triggers the translation of the instruction to a session control command. The bottom of page 2 and top of page 3 of the Applicant's application states: "[D]ifferent instructions and commands are used to exert floor control and session control. For example floor control instructions concern the control of processes like requesting, denying and granting session or floor control, whereas session control instructions relate to the control of the data source by commands like PLAY, PAUSE, STOP, etc. Session control commands basically fulfill the same tasks like session control instructions. However, whereas

session control instructions may or may not be readable by the data source, session control commands are always readable by the data source.

Claim Rejections – 35 U.S.C. § 102(e)

Claims 1-2, 4-6, 10, 13-14 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Karpoff (US 7299290). The Applicant respectfully traverses the rejection of these claims.

A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described in a single prior art reference. *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). "The identical invention must be shown in as complete detail as contained in the ... claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). The elements must be arranged as required by the claims.

The current invention, as claimed, may advantageously be implemented with a single floor controller for a set of computer network components. The first limitation in claim 1 discloses the floor controller selecting a data source controller. As noted earlier in prosecution direct access to the data source by another network component may be conferred, which allows the conferring network component to leave the session without disruption to the other network components. In contrast to the teachings of Karpoff, the Applicant's invention solves the problem of operating a floor controlling system without a determined central server.

The Karpoff reference appears to disclose a method and system for streaming content to a client device. Karpoff discloses a controller device (col. 3, lines 28-40) that receives and delivers streaming data directly to a client device without involving the server system. The controller device of Karpoff is a fixed part of the system.

The Applicant's invention, in contrast, provides a "selected" network component for controlling the data source. The Detailed Action indicates that this limitation in claim 1 is disclosed by Karpoff and cites col. 7, lines 20-25. The Applicant respectfully

disagrees with the interpretation of the cited portion of Karpoff. There is no disclosure of selecting a network component to control the data source. What are disclosed in this portion of Karpoff are controller devices (fixed function devices) that are located in the system in a pipeline fashion. The controller devices execute request engines that are on the controller device and client requests are all handled by the controller device (col. 17, lines 20-22).

In summary, there are elements in the Applicant's claims that are not disclosed or taught in the Karpoff reference. The Karpoff reference fails to disclose a designated floor controller selecting a network component to control a data source. Karpoff also fails to disclose that the floor controller receives a control instruction from a previously selected network component (to which session control has been passed) and that the control instruction triggers the translation (page 3, lines 13-15; page 4, lines 9-12; page 6, lines 1-3 and others) of a transformed session control command to the data source. As these three elements, present in independent claims 1 and 13, are not found in the Karpoff reference the Examiner has not provided a prima facie case of anticipation as Karpoff does not disclose each and every element as set forth in the claimed invention.

As may be appreciated by the skilled artisan, the current invention, as claimed, provides many advantages over the Karpoff reference and other conventional techniques by enabling improved session control and floor control as well as providing a more flexible arrangement by which a user may influence session control. It can be used in a variety of scenarios in which multiple entities may access a multi-user streaming session and may also be used with both stationary devices as well as with mobile devices.

This being the case the Applicant respectfully requests the allowance of claim 1 and analogous 13 and the respective dependent claims 2, 4-6, 10, and 14

Claims 1 and 13 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Dommel et al "Floor Control for multimedia conferencing and collaboration", 1997. The Applicant respectfully traverses the rejection of these claims.

The Dommel reference does not disclose all the elements of claims 1 and 13. For instance, page 25, last paragraph on the left; *autonomous* floor control is cited as an example of a floor controller selecting a network component for controlling the data source. The Applicant respectfully submits that the referenced portion discloses the various ways of "controlling the floor." The Applicant fails to see the connection between an autonomous controller and a floor controller selecting a data source controller as the central notion of selecting the data source controller is not found in the reference.

Dommel is cited as disclosing "...the floor controller triggering translation of the control instruction into an appropriate session control command and forwarding the session control command to the data source." The Applicant has reviewed the cited portion of Dommel and respectfully disagrees with the Examiner's interpretation. The Applicant cannot find where the floor control triggers a translation of the control instruction or where the session control is forwarded to the data source.

The Applicant respectfully submits that the Examiner's analysis provides little insight as to (i) how the Examiner is interpreting the elements of the claims and (ii) what specific features on pages 25 and 31 the Examiner believes identically discloses the above element. By failing to specifically identify those features within the reference being relied upon in the rejection, the Examiner has essentially forced Applicants to engage in mind reading and/or guessing to determine how the Examiner is interpreting the elements of the claims and what specific features within the reference the Examiner believes identically disclose the claimed invention.

As the Applicant believes that the Examiner has not met the requirements of a single piece of cited are disclosing all the elements of claims 1 and 13, the Applicant respectfully requests the allowance of both claim 1 and analogous claim 13.

Claim Rejections – 35 U.S.C. § 103 (a)

Claims 7-9 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Dommel in view of Maggenti et al (US 2002/0086665). The Applicant respectfully traverses the rejection of these claims.

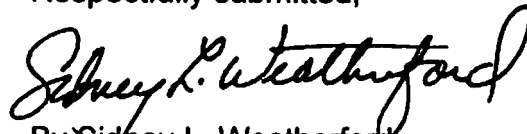
Maggenti fails to provide the previously recited elements that both the Dommel reference and the Karpoff reference do not disclose. Therefore, the Applicant respectfully submits that Dommel or Maggenti, whether considered individually or in combination, does not render the claims unpatentable. The Applicant respectfully requests the allowance of these claims.

CONCLUSION

In view of the foregoing remarks, the Applicant believes all of the claims currently pending in the Application to be in a condition for allowance. The Applicant, therefore, respectfully requests that the Examiner withdraw all rejections and issue a Notice of Allowance for all pending claims.

The Applicant requests a telephonic interview if the Examiner has any questions or requires any additional information that would further or expedite the prosecution of the Application.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Sidney L. Weatherford", written in a cursive style.

By Sidney L. Weatherford
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Date: February 24, 2010

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